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O'MELVENY&MYERS LLP IRV04

949 737 2300

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**O'MELVENY & MYERS LLP**

114 Pacifica, Suite 100  
Irvine, California 92618-3318

TELEPHONE (949) 737-2900

FACSIMILE (949) 737-2300

**FAX TRANSMITTAL**

**DATE & TIME:**

Tuesday, 12/09/03, 4:31 PM

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USPTO

Filing Receipt Correction

**FAX NUMBER:**

703-746-9195

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**FILE NO.:** 302,670-7

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**SPECIAL INSTRUCTIONS:**

**RETURN ORIGINAL TO:** Dcnisc

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Patent  
Attorney Docket: 302,670-7  
(prev 265/072)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**Mark M. Wang et al.**

Serial No.: 09/993,377

Filed: November 14, 2001

For: METHOD OF SEPARATING  
PARTICLES USING AN OPTICAL  
GRADIENT (As Amended)

Group Art Unit: 1651

Examiner: Jon P. Weber

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby request that the filing receipt be corrected to reflect the correction of the priority claim under DOMESTIC PRIORITY DATA AS CLAIMED BY APPLICANT.

The priority claim in the above application is as follows:

This application is a CIP of 09/845,245, 04/27/2001

Upon reviewing the file, Applicants have discovered a discrepancy in the Filing Receipt for this application. Applicants, by the current paper, are correcting the priority data on the Filing Receipt to reflect the priority data contained in the Declaration (copy attached hereto).

**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to (703) 746-9195 on the date shown below addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

Dec 9, 2003

Denise N. Doss  
Denise N. Doss


Patent  
Attorney Docket: 302,670-7  
(prev 265/072)

In addition, a copy of the filing receipt, with handwritten corrections, is enclosed.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: 12/9/03

By:   
Michael S. Davidson  
Reg. No. 43,577  
Attorneys for Applicant

MSD/dnd

**34263**  
PATENT TRADEMARK OFFICE

O'Melveny & Myers LLP  
114 Pacifica, Suite 100  
Irvine, CA 92618-3315  
(949) 737-2900

IR1:1050429.1



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/993,377	11/14/2001	1743	435	265/072	19	20	2

CONFIRMATION NO. 1338

22249  
LYON & LYON LLP  
633 WEST FIFTH STREET  
SUITE 4700  
LOS ANGELES, CA 90071

## UPDATED FILING RECEIPT



\*OC000000007681388\*

Date Mailed: 03/20/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Mark M. Wang, San Diego, CA;  
Eugene Tu, San Diego, CA;  
James P. O'Connell, Del Mar, CA;  
Kristie L. Lykstad, San Diego, CA;  
William F. Butler, La Jolla, CA;

## Assignment For Published Patent Application

Genoptix;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/845,245 04/27/2001  
~~WHICH CLAIMS BENEFIT OF 00/246,431 11/13/2000~~

## Foreign Applications

If Required, Foreign Filing License Granted 03/20/2002

Projected Publication Date: 06/27/2002

Non-Publication Request: No

Early Publication Request: No

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U.S. PATENT OFFICE

**Title**

Methods and apparatus for generating and utilizing a moving optical gradient

**Preliminary Class**

204

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